

1004.27**TIME LIMIT FOR ABLE-BODIED INDIVIDUALS**

REV:11/2006

Unless exempt, an individual is ineligible to participate in the Food Stamp program as a member of any household if s/he has, in the previous thirty-six (36) months, received food stamp benefits for three (3) months (consecutive or otherwise) during which s/he did not:

- * Work twenty (20) or more hours per week, averaged monthly;
- * Participate in and comply with the requirements of a work program for more than twenty (20) or more hours per week;
- * Participate in and comply with the requirements of an appropriate Food Stamp E&T (unpaid) Work Experience program;
- * Receive benefits due to exemption from these work requirements (Exemptions are located in Sections 1004.25.05 and 1004.27.05.); or
- * Receive benefits due to regaining eligibility as discussed in Section 1004.27.10.

A work program is defined as:

- * A program under the Workforce Investment Act (WIA);
- * A program under section 236 of the Trade Act of 1974 (known as the Trade Readjustment Act or "Trade Program"); and
- * The Food Stamp E&T Program.

Working means:

- * Work in exchange for money;
- * Work in exchange for goods or services ('`in kind'' work); or
- * Unpaid work

A prorated month during the initial application month is not counted during the three-month time limit.

Households adversely affected by this provision must be issued timely and adequate notice of such determination.

1004.27.05 Exemptions from Time Limits

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An individual is exempt from the time limit set forth in Section 1004.27 if s/he is:

- * Under eighteen (18) or over fifty (50) years of age (a person is considered over age fifty (50) on her or his fiftieth (50th) birthday);
- * Medically certified as physically or mentally unfit for employment;
- * A parent or other member of a household with the responsibility for a dependent child;
- * Pregnant;
- * Is a member of a food stamp household in which one of the members is
under the age of 18;
- * A high school student; or
- * Otherwise exempt pursuant to Section 1004.25.05.

1004.27.10 Provision for Regaining Eligibility

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An individual denied eligibility due to the time limit shall regain eligibility to participate in the Food Stamp program if during a thirty (30) day period, the individual:

1. Works eighty (80) or more hours;
2. Participates in and complies with the requirements of a work
program as defined in Section 1004.30 for eighty (80) or more hours; or
3. Participates in and complies with the requirements of an appropriate Food Stamp Employment and Training (unpaid) Work

Experience program.

If an individual loses this employment or ceases to participate in a work or workfare program, participation can continue for up to three (3) consecutive months (beginning from the date the agency representative is notified that work has ended, after which the only cure during the thirty-six (36) month period will be to comply with the work requirement or become exempt. An individual shall not receive benefits under this paragraph more than once in any three-year period.

An individual who is subject to the ABAWD requirements and is not exempt or eligible for an additional three-month period due to fulfilling the work requirement, is ineligible for Food Stamps in the month of re-application. The only pro-rated month that is not counted toward the three-month time limit for ABAWD's is the initial application month.